federal register

TUESDAY, MAY 21, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 99

PART II

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## ADMINISTRATION ON AGING

■

### Model Projects on Aging

## Title 45—Public Welfare

## CHAPTER IX—ADMINISTRATION ON AGING, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### MODEL PROJECTS ON AGING

On November 8, 1973 there were published in the FEDERAL REGISTER (38 FR 30878) interim regulations to implement the Model Projects program under section 308 of the Older Americans Act of 1965, as amended by Pub. L. 93-29, the Older Americans Comprehensive Services Amendments of 1973. Funds for this program from fiscal year 1973 were available under the Second Supplemental Appropriations Act, 1973 (Pub. L. 93-50) only through December 31, 1973. Accordingly, interim regulations were published in order to begin operation of the program as quickly as possible, as any delay of program implementation would have been contrary to the public interest by delaying the benefits to older persons under this program. In particular, the publication of interim regulations made it possible to implement Project SSI-ALERT, which was designed to reach and provide information to those older persons eligible to receive benefits under the Supplemental Security Income Program implemented on January 1, 1974. It also enabled continuation of Area-wide Model Projects and other programs which no longer fall under the auspices of the Older Americans Act research and development program.

Interested parties were encouraged to submit written comments, suggestions or objections concerning the interim regulations to the Commissioner on Aging on or before December 15, 1973 for consideration prior to promulgation of final regulations for the program. Only one comment was received in response to the notice and it has been given careful consideration. No changes have been made in the regulations except for those of a technical nature and those which referred to the use of fiscal year 1973 funds.

The provisions of 45 CFR Part 901.5 are amended to provide that grants made under Part 910 will conform to the provisions of 45 CFR Part 74.

Thus, the provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, will apply to grants under this part to State and local governments as those terms are defined in Subpart A of that Part 74. In addition, the relevant portions of Part 74 will apply to grants to all other grantees to the extent prescribed by 45 CFR 901.5, as amended.

Federal financial assistance extended under Part 910 is subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare, and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

In addition, the provisions of 45 CFR 903.16 are amended to extend the date for submission by States of the State Plan for fiscal year 1975, and to give a State authority to operate under its approved State Plan for fiscal year 1974 until approval by the Commissioner of the fiscal year 1975 State Plan.

*Effective date.*—Part 910 of Title 45 of the Code of Federal Regulations is revised, and Part 903, § 903.16 and Part 901, § 901.5 are amended, effective May 21, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.756—Special Programs for the Aging)

Dated: May 1, 1974.

ARTHUR S. FLEMMING,
*Commissioner on Aging.*

Approved: May 2, 1974.

STANLEY B. THOMAS, Jr.,
*Assistant Secretary for Human Development.*

Approved: May 16, 1974.

CASPAR W. WEINBERGER,
*Secretary of Health, Education, and Welfare.*

### PART 901—GENERAL

PARAGRAPH 1. § 901.5 is revised to read as follows:

**§ 901.5 General administrative requirements.**

The provisions of Part 74 of this title, establishing uniform administrative requirements and cost principles, shall apply to all grants under Parts 903, 904, 905, 909, and 910 of this chapter to State or local governments as those terms are defined in Subpart A of that Part 74. The relevant provisions of the following subparts of Part 74 shall also apply to awards made to all other grantees under Parts 903, 904, 905, 909 and 910 of this chapter:

45 CFR PART 74

Subpart
- A General.
- B Cash Depositories.
- C Bonding and Insurance.
- D Retention and Custodial Requirements for Records.
- F Grant-Related Income.
- G Matching and Cost Sharing.
- H Standards for Grantee Financial Management Systems.
- K Grant Payment Requirements.
- M Grant Closeout, Suspension, and Termination.
- O Property.
- Q Cost Principles.

### PART 903—GRANTS FOR STATE AND COMMUNITY PROGRAMS FOR THE AGING

PAR. 2. § 903.16 is revised to read as follows:

**§ 903.16 Plan submission and approval.**

(a) The State plan shall be submitted for approval within 60 days following the effective date of this part, and for each fiscal year thereafter, at least 60 days prior to the beginning thereof, except as set forth under paragraph (b) of this section. Any State plan or amendment meeting the requirements of this part as determined by the Commissioner shall be approved.

(b) The State plan for fiscal year 1975 must be submitted to the Commissioner by September 1, 1974. The State plan approved under this part for fiscal year 1974 shall remain in force until the approval of the State plan for fiscal year 1975, but in no case may the State plan for fiscal year 1974 remain in force after November 1, 1974.

### PART 910—MODEL PROJECTS ON AGING

PAR. 3.—Part 910 is revised to read as follows:

Sec.
910.1 General.
910.2 Project awards.
910.3 Application submission and review procedures.
910.4 Condition of awards.
910.5 Confidentiality.
910.6 Project revisions.
910.7 Reports.
910.8 Evaluation.
910.9 Contracts.

AUTHORITY: Sec. 308, Pub. L. 93-29, 87 Stat. 44-45 (42 U.S.C. 3028).

**§ 910.1 General.**

The Commissioner may, after consultation with the State agency designated under § 903.13 of this chapter, make grants to any public or nonprofit private agency or contracts with any agency or organization within such State for paying part or all of the cost of developing or operating statewide, regional, metropolitan area, county, city or community model projects which will expand or improve social services or otherwise promote the well-being of older persons. Sections 910.2-910.8 deal with grants and § 910.9 with contracts.

**§ 910.2 Project awards.**

(a) In making grants under this part, the Commissioner will give special consideration to projects designed to:

(1) Assist in meeting the special housing needs of older persons by:

(i) Providing financial assistance to such persons who own their own homes, necessary to enable them to make the repairs and renovations to their homes which are necessary for them to meet minimum standards. Such financial assistance may be granted to older persons up to a maximum of $1500 per dwelling for the purchase of necessary materials such as paint, roofing materials, plumbing and heating fixtures, or needed sanitary facilities and for the procurement of necessary labor to perform the repairs. Only those older persons whose incomes fall below the Department of Commerce, Bureau of Census poverty threshold shall be eligible for this financial assistance. Any home repair or renovation activity should be developed by the grantee in consultation with representatives of labor, and local officials concerned with enforcement of building codes and public health.

(ii) Studying and demonstrating methods of adapting housing or construction of new housing to meet the needs of older persons suffering from physical disabilities;

(iii) Demonstrating alternative methods of relieving older persons of the burden of real property taxes on their homes. These methods may not include payment of property taxes for older persons or reimbursement of older persons for property taxes paid by them.

(2) Provide continuing education to older persons designed to enable them to lead more productive lives by broadening the educational, cultural, or social awareness of such older persons, emphasizing, where possible, free tuition arrangements with colleges and universities;

(3) Provide perretirement education, information, and relevant services (including the training of personnel to carry out such programs and the conducting of research with respect to the development and operation of such programs) to persons planning retirement; or

(4) Provide services to assist in meeting the particular needs of the physically and mentally impaired older persons including special transportation and escort services, homemaker, home health and shopping services, and other services designed to assist such individuals in leading a more independent life.

(b) The Commissioner will also give special consideration to projects designed to:

(1) Serve those older persons in greatest need, particularly low income and minority older persons; and

(2) Further efforts to foster the development of coordinated and comprehensive service systems for older persons;

(3) Initiate or expand information and referral sources and services on a Statewide or areawide basis; or

(4) Assist older persons in national disasters, and other crises of national scope or significance.

**§ 910.3 Application submission and review procedures.**

(a) Application for funds under this part shall be submitted in writing and in accordance with guidelines established by the Commissioner. The application shall be executed by an individual authorized to act for the applicant agency and to assume the obligations imposed by the terms and conditions of any award, including the regulations of this chapter.

(b) When applications are submitted by agencies or organizations other than the State agency, the State agency shall have the opportunity for review and comment. Comments, if any, and recommendations made by the State agency shall be part of the application for a Model Project on Aging. If the proposed project is located within a planning and service area with an area agency designated under § 903.63 of this chapter, the area agency shall have the opportunity for review and comment.

(c) Applicants may be requested to submit additional information while a project application is being considered by the Commissioner. All applications which meet the legal requirements for an award will be considered for funding. The Commissioner will determine the action to be taken with respect to each application and notify the applicant accordingly in writing.

**§ 910.4 Condition of awards.**

Within the limits of funds available for such purpose, the Commissioner will award a grant to those applicants whose proposed projects will, in his judgment, best promote the purposes of this part and title III of the Act. All awards shall be in writing, shall set forth the amount of funds awarded, and shall constitute for such amounts the encumbrance of Federal funds available for such purpose on the date of the award. The initial award shall also specify the project period for which support is contemplated if the project is carried out satisfactorily and Federal funds are available. For continuation support within the project period, grantees must make separate application in accordance with the guidelines established.

**§ 910.5 Confidentiality.**

No information about, or obtained from, an individual, and in possession of an agency providing services to such individual under a project under this part, shall be disclosed in a form identifiable with the individual without the individual's informed consent.

**§ 910.6 Project revisions.**

Projects shall be conducted in accordance with the provisions of the application as approved by the Commissioner. A recipient of an award shall request in writing that the approved plan of operation or method of financing will be materially changed. The request for revision shall be submitted for approval in the same manner as the original application. Project revisions may be initiated by the Commissioner, if, on the basis of reports, it appears that the project is ineffective, or if changes are made in Federal appropriations, laws, regulations, or policies governing Model Projects on Aging.

**§ 910.7 Reports.**

Recipients of awards shall make such reports to the Commissioner including reports of findings and results of evaluation, in such form and containing such information as may reasonably be necessary to enable him to perform his functions under this part and shall keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

**§ 910.8 Evaluation.**

Projects supported under this part will be evaluated in accordance with the criteria set forth in the notice published in the FEDERAL REGISTER on June 28, 1973 (38 FR 17030) which promulgates the evaluation standards for programs and projects under the Older Americans Act of 1965, as amended.

**§ 910.9 Contracts.**

(a) *Eligibility.* Subject to applicable provisions in this part, the Commissioner may enter into contracts with any public or private agency or organization to carry out the purposes of title III and this part.

(b) *Provisions.* Any contract under this part shall be entered into in accordance with, and shall conform to all applicable laws, regulations and Department policy.

(c) *Payments.* Payments under any contract under this part may be made in advance or by way of reimbursement and in such installments and on such conditions as the Commissioner may determine.

[FR Doc. 74-11643 Filed 5-20-74;8:45 am]